

CLOSED, PATENT

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:99-cv-00286-KAJ
Internal Use Only**

C.R. Bard Inc., et al v. U S Surgical Corp.
Assigned to: Honorable Kent A. Jordan
Demand: \$0
Cause: 28:1338 Patent Infringement

Date Filed: 05/07/1999
Jury Demand: Defendant
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

C.R. Bard Inc.

represented by **Jack B. Blumenfeld**
Morris, Nichols, Arsht & Tunnell
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
Email: jbbefiling@mnat.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Davol Inc.

represented by **Jack B. Blumenfeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

United States Surgical Corporation

represented by **Andre G. Bouchard**
Bouchard, Margules & Friedlander,
P.A.
222 Delaware Avenue
Suite 1400
Wilmington, DE 19801
(302) 573-3500
Email: abouchard@bmf-law.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

United States Surgical Corporation

represented by **Andre G. Bouchard**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant**C.R. Bard Inc.**

represented by **Jack B. Blumenfeld**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Defendant**Davol Inc.**

represented by **Jack B. Blumenfeld**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/07/1999	1	COMPLAINT filed; Mag consent notice to pltf. FILING FEE \$ 150.00 RECEIPT # 125717 (dab) (Entered: 05/07/1999)
05/07/1999		SUMMONS(ES) issued for U S Surgical Corp. (dab) (Entered: 05/07/1999)
05/07/1999	2	Report to Commissioner of Patents and Trademarks. RE: 5,356,432 Exit original. (dab) Modified on 05/12/1999 (Entered: 05/07/1999)
05/10/1999	3	RETURN OF SERVICE executed as to U S Surgical Corp. 5/10/99 Answer due on 6/1/99 for U S Surgical Corp. (ds) (Entered: 05/10/1999)
05/19/1999	4	CASE assigned to Judge Roderick R. McKelvie . Notice to all parties. (ntl) (Entered: 05/19/1999)
05/21/1999	5	NOTICE of attorney appearance for U S Surgical Corp. by Andre G. Bouchard (ntl) (Entered: 05/21/1999)
05/21/1999	6	MOTION by U S Surgical Corp. with Proposed Order for Michael R. Graif, Esq. to Appear Pro Hac Vice (ntl) (Entered: 05/21/1999)
05/21/1999	7	MOTION by U S Surgical Corp. with Proposed Order for Eric J. Lobenfeld, Esq. to Appear Pro Hac Vice (ntl) (Entered: 05/21/1999)
05/21/1999	8	MOTION by U S Surgical Corp. with Proposed Order for Michael S. Lemley, Esq. to Appear Pro Hac Vice (ntl) (Entered: 05/21/1999)
05/24/1999		So Ordered granting [6-1] motion for Michael R. Graif, Esq. to Appear Pro Hac Vice granting [7-1] motion for Eric J. Lobenfeld, Esq. to Appear Pro Hac Vice granting [8-1] motion for Michael S. Lemley, Esq. to Appear Pro Hac Vice (signed by Judge Roderick R. McKelvie) Notice to all parties. (ntl) (Entered: 05/24/1999)
05/24/1999	9	Letter from Judge McKelvie to counsel encl. draft proposed scheduling order and protective order. (ntl) (Entered: 05/25/1999)

		(Entered: 11/08/1999)
11/15/1999	35	Letter from Maryellen Noreika, Esq. to Judge McKelvie re submission of videotape. (ntl) (Entered: 11/16/1999)
11/16/1999	36	Letter dated 11/15/99 from Maryellen Noreika, Esq. to Judge McKelvie encl. copy of letter dated 11/15/99 from Michael Graif, Esq. to Claire Laporte, Esq. (ntl) (Entered: 11/16/1999)
11/16/1999	37	Letter STATUS REPORT by C.R. Bard Inc., Davol Inc. (ntl) (Entered: 11/17/1999)
11/16/1999	38	Letter STATUS REPORT by U S Surgical Corp. (ntl) (Entered: 11/17/1999)
11/16/1999	39	Videotape filed by U S Surgical Corp. {SEALED}. (ntl) (Entered: 11/17/1999)
11/17/1999	40	Letter from Jack Blumenfeld, Esq. to Judge McKelvie re submission of ptfs' videotape. (ntl) (Entered: 11/17/1999)
11/18/1999	41	Letter from Andre Bouchard, Esq. to Judge McKelvie re telephone conference is unnecessary for 11/23/99. (ntl) (Entered: 11/18/1999)
11/22/1999	42	Response and Counterclaim by C.R. Bard Inc., Davol Inc. to dft's second amended answer and [18-2] counter claim (ntl) (Entered: 11/22/1999)
12/13/1999	43	Reply by U S Surgical Corp. to ptfs' counterclaim. (ntl) (Entered: 12/13/1999)
12/21/1999	44	Videotape filed by C.R. Bard Inc., Davol Inc. {SEALED}. (ntl) (Entered: 12/22/1999)
12/27/1999	45	STIPULATION with proposed order re letters commenting on videotapes due 1/6/00. (ntl) (Entered: 12/28/1999)
12/29/1999		So Ordered granting [45-1] stipulation (signed by Judge Roderick R. McKelvie) Notice to all parties. (ntl) (Entered: 01/03/2000)
01/06/2000	46	Letter from Andre Bouchard, Esq. to Judge McKelvie dated 1/6/00 {SEALED}. (ntl) (Entered: 01/07/2000)
01/06/2000	47	Letter from Jack Blumenfeld, Esq. to Judge McKelvie dated 1/6/00 {SEALED}. (ntl) (Entered: 01/07/2000)
01/24/2000	48	CERTIFICATE OF SERVICE by C.R. Bard Inc., Davol Inc. re 2nd set of interrogs. to dft. (ntl) (Entered: 01/24/2000)
01/24/2000	49	CERTIFICATE OF SERVICE by C.R. Bard Inc., Davol Inc. re 2nd request for prod. of docs. and things. (ntl) (Entered: 01/24/2000)
01/27/2000	50	CERTIFICATE OF SERVICE by U S Surgical Corp. re 2nd request for docs. and things (nos. 64-68), and 2nd set of interrogs. (nos. 27-42). (ntl) (Entered: 01/27/2000)
02/17/2000	51	CERTIFICATE OF SERVICE by U S Surgical Corp. re 3rd request for

		infringement of claim 21 of '432 patent Answer Brief due 4/24/00 re: [63-1] motion (ntl) (Entered: 04/11/2000)
04/10/2000	64	Opening Brief Filed by U S Surgical Corp. [63-1] motion for Summary Judgment of noninfringement of claim 20 and no inducement of infringement of claim 21 of '432 patent {SEALED}. (ntl) (Entered: 04/11/2000)
04/10/2000	65	Appendix to Brief Filed by U S Surgical Corp. Appending [64-1] opening brief {SEALED}. (ntl) (Entered: 04/11/2000)
04/12/2000		Tele-conference held; rprtr. V. Gunning (ntl) (Entered: 04/13/2000)
04/14/2000	66	TRANSCRIPT filed [0-0] telephone conference for dates of 4/12/00 (ntl) (Entered: 04/14/2000)
04/19/2000	67	CERTIFICATE OF SERVICE by C.R. Bard Inc., Davol Inc. re response to dft's 3rd set of interrogs. (no. 43); and response to dft's 3rd request for documents (nos. 77-83) and things (nos. 1-3). (ntl) (Entered: 04/20/2000)
04/20/2000		Tele-conference held (court reporter located at deposition) (ntl) (Entered: 04/20/2000)
04/20/2000	68	STIPULATION with proposed order re briefing schedule on dft's motion for summary judgment (D.I. 63): answering brief due 5/2/00 and reply brief due 5/15/00. (ntl) (Entered: 04/24/2000)
04/21/2000	69	STIPULATED Modification to Protective Order with proposed order (ntl) (Entered: 04/24/2000)
04/24/2000		So Ordered granting [68-1] stipulation granting [69-1] stipulation (signed by Judge Roderick R. McKelvie) Notice to all parties. (ntl) (Entered: 04/24/2000)
04/24/2000		Deadline updated; reset Answer Brief Deadline to 5/2/00 re: [63-1] motion for Summary Judgment of noninfringement of claim 20 and no inducement of infringement of claim 21 of '432 patent , and set Reply Brief Deadline to 5/15/00 re: [63-1] motion for Summary Judgment of noninfringement of claim 20 and no inducement of infringement of claim 21 of '432 patent (ntl) (Entered: 04/24/2000)
05/03/2000	70	STIPULATION with proposed order re ptfs' response to dft's motion for summary judgment (D.I. 63) due 5/3/00; reply brief due 5/16/00. (ntl) (Entered: 05/03/2000)
05/03/2000	71	Answer Brief Filed by C.R. Bard Inc., Davol Inc. [63-1] motion for Summary Judgment of noninfringement of claim 20 and no inducement of infringement of claim 21 of '432 patent {SEALED}. (ntl) (Entered: 05/04/2000)
05/03/2000	72	Appendix to Brief Filed by C.R. Bard Inc., Davol Inc. Appending [71-1] answer brief {SEALED}. (ntl) (Entered: 05/04/2000)
05/03/2000	73	Declaration of Keith W. Millikan, M.D. (ntl) (Entered: 05/04/2000)

05/04/2000		So Ordered granting [70-1] stipulation (signed by Judge Roderick R. McKelvie) Notice to all parties. (ntl) (Entered: 05/04/2000)
05/04/2000		Deadline updated; reset Reply Brief Deadline to 5/16/00 re: [63-1] motion for Summary Judgment of noninfringement of claim 20 and no inducement of infringement of claim 21 of '432 patent (ntl) (Entered: 05/04/2000)
05/08/2000	74	CORRECTED Answer Brief Filed by C.R. Bard Inc., Davol Inc. [63-1] motion for Summary Judgment of noninfringement of claim 20 and no inducement of infringement of claim 21 of '432 patent {SEALED} [replacing D.I. 71]. (ntl) (Entered: 05/09/2000)
05/08/2000	75	Letter from Maryellen Noreika, Esq. to Clerk re D.I. 74. (ntl) (Entered: 05/09/2000)
05/10/2000		Tele-conference held (reporter located at deposition). (ntl) (Entered: 05/10/2000)
05/16/2000	76	Reply Brief Filed by U S Surgical Corp. [63-1] motion for Summary Judgment of noninfringement of claim 20 and no inducement of infringement of claim 21 of '432 patent {SEALED}. (ntl) (Entered: 05/16/2000)
05/16/2000	77	Appendix to Brief Filed by U S Surgical Corp. Appending [76-1] reply brief {SEALED}. (ntl) (Entered: 05/16/2000)
05/16/2000	78	Letter from Andre Bouchard, Esq. to Judge McKelvie re request for oral argument on pending motion for summary judgment. (ntl) (Entered: 05/16/2000)
05/24/2000		Tele-conference held; rprtr. K. Maurer (ntl) (Entered: 05/24/2000)
05/25/2000	79	Steno Notes for 5/24/00; rprtr. K. Maurer (ntl) (Entered: 05/25/2000)
05/26/2000	80	TRANSCRIPT filed [0-0] telephone conference for dates of 5/24/00 (ntl) (Entered: 05/26/2000)
05/26/2000	81	Opening Brief Filed by C.R. Bard Inc., Davol Inc. re claim construction. (ntl) (Entered: 05/26/2000)
05/26/2000	82	Opening Brief Filed by U S Surgical Corp. re claim construction {SEALED}. (ntl) (Entered: 05/26/2000)
05/26/2000	83	Appendix to Brief Filed by U S Surgical Corp. Appending [82-1] opening brief {SEALED}. (ntl) (Entered: 05/26/2000)
05/30/2000	84	Proposed pre-trial order filed by C.R. Bard Inc., Davol Inc., U S Surgical Corp. (ntl) (Entered: 05/31/2000)
05/30/2000	85	Agreed Upon Proposed Jury instructions by C.R. Bard Inc., Davol Inc., U S Surgical Corp. (ntl) (Entered: 05/31/2000)
05/30/2000	86	Proposed Voir dire questions by C.R. Bard Inc., Davol Inc. (ntl) (Entered: 05/31/2000)

06/23/2000	103	Appendix to oral argument Filed by U S Surgical Corp. re motion for summary judgment (ntl) (Entered: 06/26/2000)
06/30/2000	104	Supplemental Brief Filed by C.R. Bard Inc., Davol Inc. [63-1] motion for Summary Judgment of noninfringement of claim 20 and no inducement of infringement of claim 21 of '432 patent {SEALED}. (ntl) (Entered: 06/30/2000)
06/30/2000	105	Supplemental Brief on the doctrine of equivalents Filed by U S Surgical Corp. [63-1] motion for Summary Judgment of noninfringement of claim 20 and no inducement of infringement of claim 21 of '432 patent (ntl) (Entered: 06/30/2000)
07/28/2000	106	OPINION (signed by Judge Roderick R. McKelvie) copies to: cnsl. (ntl) (Entered: 07/28/2000)
07/28/2000	107	ORDER granting in part, denying in part [63-1] motion for Summary Judgment of noninfringement of claim 20 and no inducement of infringement of claim 21 of '432 patent (signed by Judge Roderick R. McKelvie) copies to: cnsl. (ntl) (Entered: 07/28/2000)
08/01/2000	108	Letter from Andre Bouchard, Esq. to Judge McKelvie re the Court's opinion dated 7/28/00. (ntl) (Entered: 08/01/2000)
08/02/2000		Tele-conference held; rprtr. V. Gunning (ntl) (Entered: 08/03/2000)
08/04/2000	109	AMENDED OPINION (signed by Judge Roderick R. McKelvie) copies to: cnsl. (ntl) (Entered: 08/04/2000)
08/04/2000	110	Letter from Judge McKelvie to counsel re amended opinion (D.I. 109). (ntl) (Entered: 08/04/2000)
08/07/2000		Tele-conference held; rprtr. K. Maurer (ntl) (Entered: 08/08/2000)
08/08/2000	111	Steno Notes for 8/7/00; rprtr. K. Maurer (ntl) (Entered: 08/08/2000)
08/08/2000	112	TRANSCRIPT filed [0-0] telephone conference for dates of 8/2/00 (ntl) (Entered: 08/08/2000)
08/08/2000	113	TRANSCRIPT filed [0-0] motion hearing for dates of 6/22/00 (ntl) (Entered: 08/14/2000)
08/30/2000	114	TRANSCRIPT filed [0-0] telephone conference for dates of 8/7/00 (ntl) (Entered: 08/30/2000)
09/05/2000	115	Letter from Andre Bouchard, Esq. to Judge McKelvie re proposal regarding the structuring of contact with U.S. Surgical customers by counsel for Bard. (ntl) (Entered: 09/05/2000)
09/19/2000		Tele-conference held; rprtr. K. Maurer (ntl) (Entered: 09/20/2000)
09/20/2000	116	Steno Notes for 9/19/00; rprtr. K. Maurer (ntl) (Entered: 09/20/2000)
09/21/2000	117	REVISED SCHEDULING ORDER setting Pretrial conference for 3:00 10/10/00 ; Trial Date Deadline (6 day jury) 9:00 10/27/00 ; (signed by Judge Roderick R. McKelvie) copies to: cnsl. (ntl) (Entered: 09/21/2000)

10/05/2000	118	Proposed pre-trial order filed by C.R. Bard Inc., Davol Inc., U S Surgical Corp. {SEALED} (ntl) (Entered: 10/06/2000)
10/05/2000	119	Proposed Voir dire questions by C.R. Bard Inc., Davol Inc. (ntl) (Entered: 10/06/2000)
10/05/2000	120	Agreed Upon Proposed Jury instructions by C.R. Bard Inc., Davol Inc., U S Surgical Corp. (ntl) (Entered: 10/06/2000)
10/05/2000	121	Proposed Jury instructions by C.R. Bard Inc., Davol Inc. (ntl) (Entered: 10/06/2000)
10/05/2000	122	Proposed Verdict Sheet filed by C.R. Bard Inc., Davol Inc. (ntl) (Entered: 10/06/2000)
10/05/2000	123	Proposed Voir dire questions by U S Surgical Corp. (ntl) (Entered: 10/06/2000)
10/05/2000	124	Proposed Preliminary Jury instructions by U S Surgical Corp. (ntl) (Entered: 10/06/2000)
10/05/2000	125	Proposed Jury instructions by U S Surgical Corp. (ntl) (Entered: 10/06/2000)
10/05/2000	126	Proposed Verdict Sheet filed by U S Surgical Corp. (ntl) (Entered: 10/06/2000)
10/05/2000	127	CERTIFICATE OF SERVICE by C.R. Bard Inc., Davol Inc. re report of Keith William Millikan, M.D. concerning the expert report of John D. Corbitt, M.D. (ntl) (Entered: 10/06/2000)
10/10/2000		Pre-trial conference held; rprtr. V. Gunning (ntl) (Entered: 10/10/2000)
10/12/2000	128	TRANSCRIPT filed [0-0] pre-trial conference for dates of 10/10/00 (ntl) (Entered: 10/12/2000)
10/13/2000	129	CERTIFICATE OF SERVICE by C.R. Bard Inc., Davol Inc. re 2nd suppl. expert report of Marion B. Stewart. (ntl) (Entered: 10/13/2000)
10/20/2000	130	Letter from Andre Bouchard, Esq. to Judge McKelvie re evidentiary issue and motion in limine. (ntl) (Entered: 10/23/2000)
10/24/2000	131	Letter from Jack Blumenfeld, Esq. to Judge McKelvie re pretrial issues. (ntl) (Entered: 10/24/2000)
10/25/2000		Status conference held; rprtr. V. Gunning (ntl) (Entered: 10/25/2000)
10/26/2000	132	Letter from Judge McKelvie to counsel re proposed preliminary jury instructions. (ntl) (Entered: 10/26/2000)
10/26/2000	133	Letter from Andre Bouchard, Esq. to Judge McKelvie encl. revised preliminary jury instructions. (ntl) (Entered: 10/26/2000)
10/27/2000		Jury trial held (day 1); rprtrs. Maurer/Gaffigan (ntl) (Entered: 10/27/2000)

11/06/2000	150	TRANSCRIPT filed [146-1] jury verdict for dates of 11/3/00 (ntl) (Entered: 11/06/2000)
11/06/2000	151	TRANSCRIPT filed [0-0] jury trial for dates of 10/27/00 (ntl) (Entered: 11/06/2000)
11/06/2000	152	TRANSCRIPT filed [0-0] jury trial for dates of 10/30/00 (ntl) (Entered: 11/06/2000)
11/06/2000	153	TRANSCRIPT (partial) filed [0-0] jury trial for dates of 10/30/00 {SEALED}. (ntl) (Entered: 11/06/2000)
11/06/2000	154	TRANSCRIPT filed [0-0] jury trial for dates of 10/31/00 (ntl) (Entered: 11/06/2000)
11/06/2000	155	TRANSCRIPT filed [0-0] jury trial for dates of 11/1/00 (ntl) (Entered: 11/06/2000)
11/06/2000	156	TRANSCRIPT (partial) filed [0-0] jury trial for dates of 11/2/00 {SEALED}. (ntl) (Entered: 11/06/2000)
11/13/2000	157	RENEWED MOTION by U S Surgical Corp. for Judgment as a Matter of Law , and for New Trial (ntl) (Entered: 11/14/2000)
11/14/2000	158	Steno Notes for 10/27/00 to 11/3/00; rprtr. K. Maurer (ntl) (Entered: 11/14/2000)
11/16/2000	159	ORDER re lunch for jury on 11/3/00 (signed by Judge Roderick R. McKelvie) copies to: financial admin. (ntl) (Entered: 11/17/2000)
12/08/2000	160	STIPULATION with proposed order governing post-trial submissions. (ntl) (Entered: 12/08/2000)
12/12/2000		So Ordered granting [160-1] stipulation (signed by Judge Roderick R. McKelvie) Notice to all parties. (ntl) (Entered: 12/12/2000)
12/12/2000	161	Opening Brief Filed by U S Surgical Corp. [157-1] motion for Judgment as a Matter of Law - Answer Brief due 1/15/01, [157-2] motion for New Trial - Answer Brief due 1/15/01 {SEALED}. (ntl) (Entered: 12/12/2000)
12/12/2000	162	Appendix to Brief Filed by U S Surgical Corp. Appending [161-1] opening brief {SEALED}. (ntl) (Entered: 12/12/2000)
12/13/2000	163	MOTION by C.R. Bard Inc., Davol Inc. for entry of a permanent injunction, an award of enhanced damages, an award of attorneys' fees, and an award of post-verdict damages (ntl) (Entered: 12/13/2000)
12/13/2000	164	Opening Brief Filed by C.R. Bard Inc., Davol Inc. [163-1] motion for entry of a permanent injunction, an award of enhanced damages, an award of attorneys' fees, and an award of post-verdict damages {SEALED}. (ntl) (Entered: 12/13/2000)
01/16/2001	165	STIPULATION with proposed order re reply briefs in support of pending post-trial motions due 2/6/01. (ntl) (Entered: 01/16/2001)
01/16/2001	166	Answer Brief Filed by U S Surgical Corp. [163-1] motion for entry of a

		permanent injunction, an award of enhanced damages, an award of attorneys' fees, and an award of post-verdict damages {SEALED}. (ntl) (Entered: 01/16/2001)
01/16/2001	167	Appendix to Brief Filed by U S Surgical Corp. Appending [166-1] answer brief {SEALED}. (ntl) (Entered: 01/16/2001)
01/16/2001	168	Answer Brief Filed by C.R. Bard Inc., Davol Inc. [157-1] motion for Judgment as a Matter of Law - Reply Brief due 1/23/01, [157-2] motion for New Trial - Reply Brief due 1/23/01 {SEALED}. (ntl) (Entered: 01/17/2001)
01/17/2001		So Ordered granting [165-1] stipulation (signed by Judge Roderick R. McKelvie) Notice to all parties. (ntl) (Entered: 01/17/2001)
02/06/2001	169	Reply Brief Filed by C.R. Bard Inc., Davol Inc. [163-1] motion for entry of a permanent injunction, an award of enhanced damages, an award of attorneys' fees, and an award of post-verdict damages {SEALED}. (ntl) (Entered: 02/07/2001)
02/06/2001	170	Reply Brief Filed by U S Surgical Corp. [157-1] motion for Judgment as a Matter of Law, [157-2] motion for New Trial {SEALED}. (ntl) (Entered: 02/07/2001)
02/06/2001	171	Appendix to Brief Filed by U S Surgical Corp. Appending [170-1] reply brief {SEALED}. (ntl) (Entered: 02/07/2001)
02/06/2001	172	Letter from Andre Bouchard, Esq. to Judge McKelvie re request for oral argument on all post-trial motions. (ntl) (Entered: 02/07/2001)
03/07/2001		Motion hearing held; rprtr. V. Gunning (ntl) (Entered: 03/08/2001)
03/08/2001	173	TRANSCRIPT filed [0-0] motion hearing for dates of 3/7/01 (ntl) (Entered: 03/08/2001)
03/14/2001	174	Letter from Jack Blumenfeld, Esq. to Judge McKelvie re Bard v. ACS. (ntl) (Entered: 03/14/2001)
03/19/2001	175	Letter from Andre Bouchard, Esq. to Judge McKelvie re response to Bard's letter to the Court dated 3/14/01. (ntl) (Entered: 03/20/2001)
04/23/2001	176	NOTICE of withdrawal of Michael R. Graif, Esq. as attorney admitted pro hac vice for U S Surgical Corp. (ntl) (Entered: 04/23/2001)
04/23/2001	177	NOTICE of change of firm and address of Eric Lobenfild, Esq. and Drew Wintringham, Esq. for U S Surgical Corp. (ntl) (Entered: 04/23/2001)
06/07/2001	178	Letter from Andre Bouchard, Esq. to Judge McKelvie re Tyco's agreement to acquire C.R. Bard. (ntl) (Entered: 06/07/2001)
08/02/2001	179	STIPULATION with proposed order regarding stay of proceedings. (ntl) (Entered: 08/03/2001)
08/02/2001	180	Letter from Andre Bouchard, Esq. to Judge McKelvie re D.I. 179. (ntl)

01/13/2003	191	Letter dated 1/13/03 to Judge Jordan by Andre G. Bouchard, representing Deft, in response to letter [DI# 190], Re: Pending post-trial motions. (rwc) (Entered: 01/14/2003)
01/13/2003		Deadline updated per calendar ntc; set Telephone Conference for 10:30 on 1/16/03 (rwc) (Entered: 01/14/2003)
01/16/2003		Tele-conference held (J. Jordan); rprtr. K. Maurer (ntl) (Entered: 01/16/2003)
01/16/2003	192	Steno Notes filed by Ct Rptr K. Maurer for teleconference held on 1/16/03. (rwc) (Entered: 01/17/2003)
01/17/2003		Deadline updated; Motion Hearing (oral argument) set for 10:00 on 3/7/03 for [163-1] motion for entry of a permanent injunction, an of enhanced damages, an award of attornys' fees, and an award of post-verdict damages; and for [157-1] motion for Judgment as a Matter of Law; and for [157-2] motion for New Trial (rwc) (Entered: 01/20/2003)
01/17/2003	193	ORDER, set Opening Brief Deadlines to 1/31/03 re: [163-1] motion for entry of a permanent injunction, an award of enhanced damages, an award of attornys' fees, and an award of post-verdict damages, 1/31/03 re: [157-1] motion for Judgment as a Matter of Law, 1/31/03 re: [157-2] motion New Trial ; set Answer Brief Deadlines to 2/21/03 re: [163-1] motion for entry of a permanent injunction, an of enhanced damages, an award of attornys' fees, and an award of post-verdict damages, 2/21/03 re: [157-1] motion for Judgment as a Matter of Law, 2/21/03 re: [157-2] motion for New Trial , and set Reply Brief Deadlines to 2/28/03 re: [163-1] motion for entry of a permanent injunction, an award of enhanced damages, an award of attornys' fees, and an award of post-verdict damages, 2/28/03 re: [157-1] motion for Judgment as a Matter of Law, 2/28/03 re: [157-2] motion for New Trial . The Court will hold oral argument (2-hrs) on 3/7/03 at 10:00 a.m. (signed by Judge Kent A. Jordan) copies to: cnsl. (rwc) (Entered: 01/20/2003)
01/31/2003	194	Supplemental Opening Brief Filed by C.R. Bard Inc., Davol Inc., in support of [163-1] motion for entry of a permanent injunction, an award of enhanced damages, an award of attornyes' fees, and an award of post-verdict damages - Answer Brief due 2/14/03. (SEALED). (rwc) (Entered: 02/03/2003)
01/31/2003	194	Supplemental Answer Brief Filed by C.R. Bard Inc., Davol Inc., in opposition to [157-1] motion for Judgment as a Matter of Law - Reply Brief due 2/7/03, and [157-2] motion for New Trial - Reply Brief due 2/7/03. (SEALED). (rwc) (Entered: 02/03/2003)
02/24/2003	195	Answering Brief (Reply Brief) Filed by U S Surgical Corp. in support of [157-1] motion for Judgment as a Matter of Law, and [157-2] motion for New Trial. (SEALED). (rwc) (Entered: 02/24/2003)
02/24/2003	195	RESPONSE by U S Surgical Corp., in opposition to [194-1] Pltf's Supplemental Answer brief. (SEALED). (rwc) (Entered: 02/24/2003)

02/24/2003	196	AFFIDAVIT of Alyssa Dassa, filed by U S Surgical Corp. Re: [195-1] opposition response, [195-1] reply brief. (SEALED). (rwc) (Entered: 02/24/2003)
02/24/2003	197	Notice of Deficiency from the court to defendant U S Surgical Corp., Re: No original signature on DI#196. (rwc) (Entered: 02/25/2003)
03/03/2003	198	Supplemental Reply Brief Filed by C.R. Bard Inc., Davol Inc., in support of [163-1] motion for entry of a permanent injunction, an award of enhanced damages, an award of attorneys' fees, and an award of post-verdict damages. (SEALED). (rwc) (Entered: 03/03/2003)
03/03/2003	198	Supplemental Answer Brief Filed by C.R. Bard Inc., Davol Inc., in further opposition to [157-1] motion for Judgment as a Matter of Law, [157-2] motion for New Trial. (SEALED). (rwc) (Entered: 03/03/2003)
03/04/2003	199	MOTION by U S Surgical Corp., with Proposed Order for Ernest Yakob to Appear Pro Hac Vice re: [199-1] motion (rwc) (Entered: 03/05/2003)
03/05/2003		So Ordered granting [199-1] motion for Ernest Yakob to Appear Pro Hac Vice (signed by Judge Kent A. Jordan) Notice to all parties. (rwc) (Entered: 03/06/2003)
03/07/2003		Motion hearing held; Judge Jordan presiding, re: [163-1] motion for entry of a permanent injunction, an award of enhanced damages, an award of attorneys' fees, and an award of post-verdict damages; and [157-1] motion for Judgment as a Matter of Law; and for [157-2] motion for New Trial. The Court reserved its decision on above. (Ct Rptr V. Gunning). (rwc) (Entered: 03/11/2003)
03/13/2003	200	TRANSCRIPT filed by Ct Rptr V. Gunning, Re: motion hearing held 3/7/03 before Judge Jordan. (rwc) (Entered: 03/13/2003)
03/13/2003	201	Letter dated 3/13/03 to Judge Jordan by Jack B. Blumenfeld, Esq., enclosing copy of slide presentation, Re: 3/7/03 Hearing on post-trial motions. (rwc) (Entered: 03/13/2003)
03/19/2003		**Terminated past due deadlines (rwc) (Entered: 03/19/2003)
04/08/2003	202	ORDER, set Telephone Conference for 8:30 on 4/25/03 to discuss scheduling mediation. (signed by Judge Mary P. Thyng) copies to: cnsl. (rwc) (Entered: 04/08/2003)
04/16/2003	203	ORDER - (1) denying [157-1] motion for Judgment as a Matter of Law, and denying [157-2] motion for New Trial; (2) granting [163-1] motion for entry of a permanent injunction, an award of enhanced damages, an award of attorneys' fees, and an award of post-verdict damages; (3) the parties shall submit their positions on post-verdict damages w/in 4-weeks; and (4) the parties shall submit proposed form of permanent injunction w/in 4-weeks. (signed by Judge Kent A. Jordan) copies to: cnsl. (rwc) (Entered: 04/17/2003)
04/16/2003	204	MEMORANDUM OPINION - in support of Order [DI# 203]. (signed by Judge Kent A. Jordan) copies to: cnsl. (rwc) (Entered: 04/17/2003)

04/29/2003	205	ORDER, set Mediation Conference for 10:00 on 7/16/03. Parties shall submit Mediation Statement directly to chambers by 7/7/03. (signed by Judge Mary P. Thyng) copies to: cnsl. (rwc) (Entered: 04/29/2003)
05/05/2003		**Terminated deadlines (rwc) (Entered: 05/05/2003)
05/14/2003	206	Proposed Measure of Post-Verdict Damages and Form of Injunction filed by U S Surgical Corp. (SEALED). (rwc) (Entered: 05/15/2003)
05/14/2003	207	AFFIDAVIT of James Donahue filed by U S Surgical Corp., in support of [206-1] Proposed Measure of Post-Verdict Damages. (SEALED). (rwc) (Entered: 05/15/2003)
05/14/2003	208	Supplemental Memorandum in support of Post-Verdict Requests for Entry of a Permanent Injunction and for a Final Award of Damages and Attorneys' Fees. Filed by C.R. Bard & Davol Inc. (SEALED). (rwc) (Entered: 05/15/2003)
05/14/2003	209	Declaration of John E. Nilsson filed by C.R. Bard Inc., Davol Inc., in support of [208-1] Supplemental Memorandum in support of Post-Verdict Requests for Entry of a Permanent Injunction and for a Final Award of Damages and Attorneys' Fees (SEALED). (rwc) (Entered: 05/15/2003)
05/15/2003	210	Letter from Karen Pascale, Esq. to Clerk re original affidavit of James Donohue (D.I. 207). (ntl) (Entered: 05/15/2003)
07/16/2003	211	ORDER, set Status Conference for 8:30 on 8/6/03 (signed by Judge Mary P. Thyng) copies to: cnsl. (rwc) (Entered: 07/17/2003)
07/22/2003	212	STIPULATION with proposed order for Sixty-Day Stay of Proceedings. (rwc) (Entered: 07/22/2003)
08/04/2003		So Ordered granting [212-1] Stipulation for a Sixty-Day Stay (signed by Judge Kent A. Jordan) Notice to all parties. (rwc) (Entered: 08/04/2003)
08/05/2003	213	ORDER, reset Status Conference for 8:00 on 8/27/03 (signed by Judge Mary P. Thyng) copies to: cnsl. (rwc) (Entered: 08/05/2003)
08/05/2003		**Terminated deadlines (rwc) (Entered: 08/05/2003)
08/27/2003	214	ORDER, set Telephone Conference for 8:30 on 9/23/03 to discuss status of negotiations. (signed by Judge Mary P. Thyng) copies to: cnsl. (rwc) (Entered: 08/27/2003)
09/02/2003		**Terminated past due deadlines (rwc) (Entered: 09/02/2003)
10/06/2003		**Terminated teleconference deadlines (rwc) (Entered: 10/06/2003)
10/09/2003	215	ORDER, that the parties shall file a Joint Status Report by 10/24/03. set Status Report deadline to 10/24/03 (signed by Judge Kent A. Jordan) copies to: cnsl. (rwc) (Entered: 10/09/2003)
10/24/2003	216	JOINT STATUS REPORT filed by C.R. Bard Inc., Davol Inc., U S Surgical Corp. (rwc) (Entered: 10/27/2003)